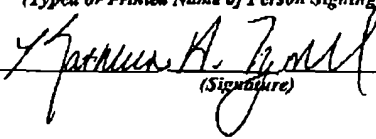


<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No.
Applicant(s): Van Eyk et al.			PTQ-0027
Serial No. 09/115,589	Filing Date July 15, 1998	Examiner Gucker, Stephen	Group Art Unit 1647
Invention: Methods of Diagnosing Muscle Damage			
<p>I hereby certify that this <u>Response to Telephone Interview of November 21, 2003</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9307</u>)</p> <p>on <u>December 1, 2003</u> (Date)</p> <p><u>Kathleen A. Tyrrell</u> (Typed or Printed Name of Person Signing Certificate)</p> <p><u></u> (Signature)</p> <p><b>Note: Each paper must have its own certificate of mailing.</b></p>			

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Small Entity)**Docket No.  
PTQ-0027

In Re Application Of: Van Eyk et al

Serial No.  
09/115,589Filing Date  
July 15, 1998Examiner  
Gucker, StephenGroup Art Unit  
1647

Invention: Methods of Diagnosing Muscle Damage

TO THE COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of November 21, 2003 in the above-identified application.

Date

The requested extension is as follows (check time period desired):

☐ One month    ☐ Two months    ☒ Three months    ☐ Four months    ☐ Five months

from: August 31, 2003                      until: November 30, 2003

Date

Date

A verified statement of small entity status as a small entity under 37 CFR 1.27:

- ☐ is enclosed.  
☐ has already been filed in this application.

The fee for the amendment and extension of time has been calculated as shown below:

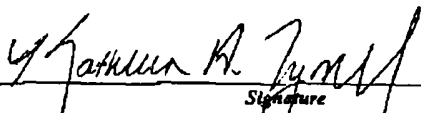
## CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	28 -	55 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	3 -	7 =	0	x \$43.00	\$0.00
FEE FOR AMENDMENT					\$0.00
FEE FOR EXTENSION OF TIME					\$475.00
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					475

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Small Entity)**Docket No.  
**PTQ-0027**

The fee for the amendment and extension of time is to be paid as follows:

- ☐ A check in the amount of \$475.00 for the amendment and extension of time is enclosed.
- ☒ Please charge Deposit Account No. 50-1619 in the amount of \$475.00
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1619
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-1619

  
SignatureDated: December 1, 2003

Kathleen A. Tyrrell, Reg. No. 38,350

Licata & Tyrrell P.C.  
66 East Main Street  
Marlton, New Jersey 08053  
Tel : 856-810-1515  
Fax: 856-810-1454I certify that this document and fee is being deposited  
on with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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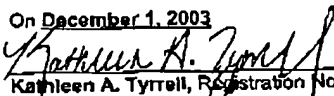
DEC 01 2003

Attorney Docket No.: 12917 (PTQ-0027)  
Inventors: Van Eyk et al.  
Serial No.: 09/115,589  
Filing Date: July 15, 1998  
Examiner: Gucker, Stephen  
Group Art Unit: 1647  
Title: Methods of Diagnosing Muscle Damage

## Certificate of Facsimile Transmission

I hereby certify that this document is being facsimile  
transmitted to the Patent and Trademark Office on  
the date shown below.

On December 1, 2003

  
Kathleen A. Tyrrell, Registration No. 38,350

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Response to Telephone Interview of November 21, 2003

Applicants are filing this amendment in response to issues  
discussed in the Telephone Interview conducted with Examiner  
Gucker on November 21, 2003. Please enter the following  
amendments and remarks into the record.

Attorney Docket No.: 12917 (PTQ-0027)  
Inventors: Van Eyk et al.  
Serial No.: 09/115,589  
Filing Date: July 15, 1998  
Page 2

**Amendments to the claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 10.